

**APPLICATION FOR PERMIT
 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

SEP 13 1979

Date of filing in State Engineer's Office.....

APR 23 1980

Returned to applicant for correction.....

Corrected application filed.....

MAY 15 1980

Map filed.....

The applicant Elko Heat Co......

421 Court Street....., of Elko.....
Street and No. or P.O. Box No. City or Town

Nevada 89801....., hereby make.... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) 1979 Nevada

1. The source of the proposed appropriation is Underground Well #2.....
Name of stream, lake or other source.

2. The amount of water applied for is 10.0 cfs (nonconsumptive use)..... second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for commercial use - heat extraction.....
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SW 1/4 NE 1/4 Sec. 15, T.34N., R.55E.,

MDM at a point from which the SE cor. of said Sec. 15 bears S. 38° 30' E.,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
3650 feet.
it should be stated.

6. Place of use Sec. 9, 10, 11, 14, 15, 16, 21, 22, N 1/2 Sec. 23 all in T.34N., R.55E.,
Describe by legal subdivision, if on unsurveyed land it should be so stated.

MDM, City of Elko, Nevada

7. Use will begin about Jan 1..... and end about Dec. 31....., of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well with solid casing below cold
water zones within a minimum depth of 700 or 800 feet.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$100,000
10. Estimated time required to construct works 3 - 10 years
11. Estimated time required to complete the application to beneficial use 10 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Heat extraction from geothermal source for space heating, service hot water, and process heat. This application is being filed to cover the consumptive use, however, plans call for re-injection of water into the ground water sources from which it originated.

Applicant Elko Heat Co.

By s/Mark Chilton
Agent 421 Court St.
Elko, Nevada 89801

Compared b1/ jk gk/bc
Pro. 6/9/80 by Nevada Green
Pro. 6/19/80 by City of Elko

Protests Overruled, Ruling #2627 APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. If the well is flowing, a valve must be installed and maintained to prevent waste. Accurate measurements must be kept of water placed to beneficial use. The State retains the right to regulate the use of the water herein granted at any and all times.

The well is to be cemented from the producing levels to the surface to protect fresh water zones.

This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes only and fresh, cold water aquifers are not to be diverted.

The used geothermal fluids are to be returned to the source.

Applications to change the manner of use to a consumptive use may be filed and duly considered.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 10.0 cubic feet per second, but not to exceed a total of 7,240 acre-feet annually from Permits 39050, 39051, 39052, 39053, and 39054 combined.

Actual construction work shall begin on or before October 28, 1981

Proof of commencement of work shall be filed before November 28, 1981

Work must be prosecuted with reasonable diligence and be completed on or before October 28, 1982

Proof of completion of work shall be filed before November 28, 1982

Application of water to beneficial use shall be made on or before October 28, 1987

Proof of the application of water to beneficial use shall be filed on or before November 28, 1987

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

County Recorder

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 28th day of APRIL

A.D. 1981

William J. Newman
State Engineer

MAY 10 1988

218 (Rev.) BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Peter L. Morris